

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

December 15, 2003

**CALL TO PODIUM:**

Mark DePoe

**RESPONSIBLE STAFF:**

Mark DePoe,  
Long Range Planning Director

**AGENDA ITEM:**

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing "JOINT"
	Historic District
	Consent Item
	Ordinance
X	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	7/02/2003
	7/09/2003
Hearing Date	7/21/2003
Record Held Open	9/10/2003
Policy Discussion	9/15/2003

**TITLE: RESOLUTION**

**MP-1-03: Master Plan Amendment, 2003 Master Plan Land Use Element and Process and City Overview.**

**SUPPORTING BACKGROUND:**

Gaithersburg, as an incorporated city, is subject to Article 66B—Land Use, of the Annotated Code of Maryland. Section 3.05, of Article 66B, requires that the City's Master Plan shall be reviewed and if necessary revised or amended at least once every six years. Section 3.05(a)(1) requires that the Planning Commission "shall make and approve a plan which the commission shall recommend" to the Mayor and City Council.

The Mayor & Council and Planning Commission held a Joint Public Hearing on MP-1-03 on July 21, 2003. The Planning Commission at their September 3, 2003 meeting reviewed the proposed Master Plan Amendment and forwarded their recommendation of approval to the Mayor and City Council. The Mayor and City Council held their Policy Discussion on September 15, 2003.

During the September 15, 2003 policy discussion review on the draft Land Use Element of the Master Plan, the Mayor and City Council directed staff to review and amend the Casey-Metropolitan Grove special study area for the purpose of providing special conditions regarding transportation levels of service and transportation improvements. The 2003 Land Use Plan Element Master Plan Amendment has been revised accordingly. [Exhibit 1]

As you know, Master Plan special conditions require a separate public hearing. In addition to the Casey-Metropolitan Grove special condition, staff had previously recommended special conditions for five map designations (11, 14, 20, 26, and 57) and the Muddy Branch special study area. If the Mayor and City Council concur with the proposed language for the special conditions, staff is recommending that we hold a consolidated joint public hearing on the seven special conditions on February 17, 2004. To hold a hearing on this date, we must publish an advertisement by December 16, 2003. At this point, staff is recommending that the Mayor and City Council take final action on the Master Plan Land Use Element.

**Attached:**

Exhibit 1: Redline Version of Changes to Casey-Metropolitan Study Area

Exhibit 2: Resolution Adopting Master Plan Amendment

Draft 2003 Land Use Element [Previously Distributed]

**DESIRED OUTCOME:**

**Adopt Resolution Adopting Master Plan Amendment MP-1-03, as amended.**

## PHYSICAL CHARACTERISTICS



The Casey-Metropolitan Grove Study Area is rectangular in shape and is bounded on three sides by State of Maryland right-of-way (Interstate 270, Route 117, and Route 124) and the remaining side by Seneca Creek State Park. The CSX right-of-way and tracks bisect the study area. The Casey-Metropolitan Grove Study Area is essentially divided into two distinct areas. The first ("Northern Properties") being the primarily undeveloped land located north of the CSX right-of-way and the second ("Southern Properties") being the developed land south of the CSX right-of-way.

### Northern Properties

The undeveloped land of the northern properties contains a combination of active agricultural field, open land and forest. Forested areas vary from "Mature Forest" dominated by Chestnut Oak and Tulip Poplar to mature "Bottomland" forests dominated by Silver Maple.

The slopes range from 0-25% with moderate slopes dominating and pockets of steep slopes scattered throughout. The northern properties drain into the main stem of Great Seneca Creek or its tributaries. An unnamed perennial tributary to Great Seneca

Creek flows through this portion of the study area as well as several intermittent stream systems. These are the only perennial stream and intermittent streams located on the entire Casey-Metropolitan Grove Study Area.

Existing in the study area are both 100-year floodplain and wetlands. The existing 100-year floodplain information can be found on the FEMA Flood Insurance Maps for the City of Gaithersburg (FEMA, 1982). A wetlands delineation study found eight wetland pockets within the study area. Portions of the wetlands and 100-year floodplain contain forest.

The soils found are dominated by Brinklow-Blocktown channery silt loam (16D), Gaila silt loam (1B and 1C), and Glenelg silt loam (2B). Of the soils found in this portion of the study area, the Baile and Hatboro soils are designated as hydric in "Hydric Soils of the United States". In addition to the hydric soils, there are a number of soils found (Gaila silt loam, Brinklow-Blocktown channery silt loam, Occoquan loam, and Blocktown channery silt loam) that have been identified by the United States Department of Agriculture Soil Conservation Service as highly erodible.

The results of the Wildlife Inventory revealed that the site contains the typical array of urban wildlife species. Of the species found (white-tailed deer, red fox, eastern chipmunk, eastern gray squirrel, eastern cottontail, raccoon, mice, moles and sparrows), none are unusual or unexpected within this area. The information provided regarding the Natural Resource Inventory/Forest Stand Delineation (forests, wetlands, floodplains, stream valley buffer, soils, wildlife, etc.) was provided by Rodger Consulting, Inc. and the NRI/FSD study approved April 2, 2001.

### **Southern Properties**

The entire area making up the southern properties has essentially been developed with land uses equally split between industrial-research-office buildings west of Metropolitan Grove Road and a medium density residential apartment complex, known as Orchard Pond, and a Maryland State maintenance/distribution facility to the east. As with typical industrial-research-office development, the properties' surfaces are mostly impervious due to the large footprint of low-level buildings and large surface parking lots. There is one remaining vacant lot in the I-3 zone located in the southwest quadrant of the CSX right-of-way and Metropolitan Grove Road intersection. This lot has received preliminary site plan approval for a three-story office building. The residential development offers the only substantial green area in this portion of the study area.

### **SPECIAL STUDY AREA REVIEW**

The Casey-Metropolitan Grove Study Area stakeholders meetings were held on October 24, 2002, November 12, 2002, November 25, 2002, January 27, 2003, and February 24, 2003. Initially, the stakeholders were divided up into four focus groups: Recreation and Environment, Economic Development, Transportation and Transit, and

Education and Housing and were provided additional information related to their particular focus group. The focus groups reviewed and discussed the study area as it relate to their specific focus group issues and City themes. The stakeholders along with City staff prepared and presented focus group reports on their issues and findings on November 12, 2002. The final two meetings brought all the stakeholders together and involved the introduction and discussion of the three proposed land use options: 1) Office Development, 2) Private Arts, Entertainment, and Education Center Development, and 3) Mixed Use Development.

The stakeholders recommended that all three proposed land use options be sent to the Mayor and City Council and Planning Commission joint work session. The three land use options, prepared by Staff, were presented to the Mayor and City Council and Planning Commission during a joint public work session on March 24, 2003. The Mayor and City Council and Planning Commission reviewed and discussed the land use options and directed staff to prepare a final report that includes all three options.

The City as well as the stakeholders and focus groups concentrated on the portion of the Casey-Metropolitan Grove Study Area located north of the CSX right-of-way. This is the portion of the study area that is almost entirely made up of vacant land waiting to be developed. The developed southern properties will be discussed and recommendations made by City staff for potential redevelopment.

### **Development Staging and Phasing**

The Casey-Metropolitan Grove Study Area contains the last large area of contiguous undeveloped properties remaining in the City of Gaithersburg that currently does not have an approved plan for development. It is expected that this study area will develop over several years and, to avoid piecemeal development, one amended sketch plan including all public improvements and approximate siting of buildings should be submitted.

There are a number of transportation improvements and development assumptions that must be part of the staging and phasing of any development envisioned for this study area, regardless of the land use option chosen. The implementation of staging elements for this plan will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process. In addition, the proposed development will be reviewed and compared to the nine Master Plan Themes adopted by the Mayor and City Council.

This process requires the Mayor and City Council, and the Planning Commission to approve all final decisions on SDP's. Any development in the study area will subsequently be reviewed by the Planning Commission subject to the site development review process required for development in the City. The phasing and density of development is to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the endorsed Master Plan Themes.

## Transportation Improvements

With respect to the master planned roads, transit options, bike paths, and pedestrian walkways, a detailed evaluation of rights-of-way and paving widths, road classifications, and design criteria will be conducted during the anticipated update of the city-wide transportation element of the master plan. However, during the course of review of the this study area, previous recommendations relative to certain existing and proposed master planned roadways are still valid within the context of the planned land use decisions, as follows:

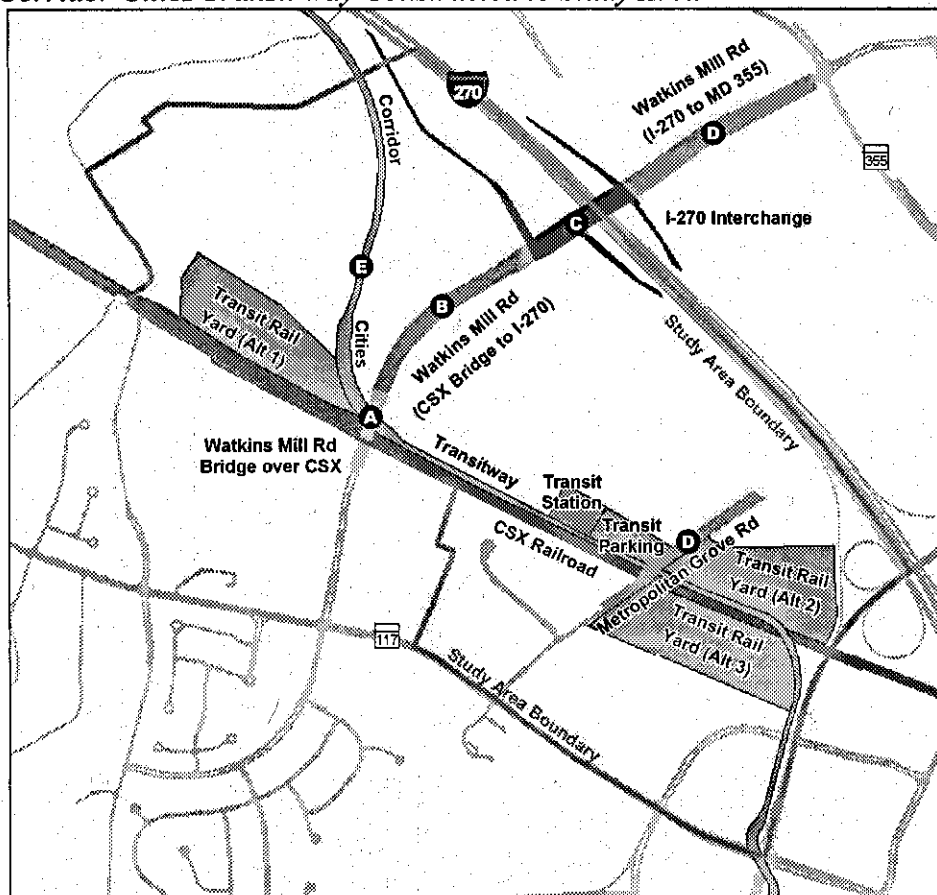
- West Watkins Mill Road, as an arterial roadway with 120 feet of right-of-way will be a maximum six-lane roadway with pedestrian and bicycle capacity. Two access points will be reserved along West Watkins Mill Road for ingress/egress to the study area.
- Metropolitan Grove Road is proposed as an improved street with a grade separated crossing over the CSX rail line with an internal access road linking to West Watkins Mill Road. A feasibility study should be conducted to determine the type of crossing over the CSX rail line for Metropolitan Grove Road. Pedestrian/biker paths should be part of any determined design.
- The reservation of right-of-way for the construction of a transitway along the CSX railroad and the Metropolitan Grove MARC Rail Station, to traverse the Casey-Metropolitan Grove Study Area, and continue north along Interstate 270 must be executed. This transportation improvement is crucial to accommodate the Corridor Cities Transitway (CCT), as well as the type of higher densities of development recommended in the study area and the Montgomery County Master Plans for Shady Grove and Germantown. An eight to ten feet hiker/biker path should be provided along the CCT.
- Direct access from Interstate 270, by way of an interchange, to link with West Watkins Mill Road is an important part of the transportation linkages. Pedestrian and biker access along Watkins Mill Road and past I-270 should be part of any design for the future I-270 Interchange.
- Extension of Metropolitan Court to West Watkins Mill Road will allow direct access of all I-3 zoned properties to West Watkins Mill Road and access to I-270 Interchange without placing traffic on Clopper Road (Route 117). Hiker/biker paths should be included along the roadway.

Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer. A traffic impact study must demonstrate that critical intersections and links of roads (existing and planned) will operate at acceptable levels of service. The traffic generated by the proposed development, plus all approved subdivisions and all other current uses, shall **be considered in determining whether critical intersections and surrounding roads** operate at an acceptable level of service. The level of service standard, per the Transportation Theme, assumes that it is the level at which the transportation facilities will operate satisfactorily at maximum

capacity. The traffic impact study should be prepared utilizing: (1) the standard ITE trip generation rates, (2) local trip distribution patterns based on good traffic engineering practices, and (3) the Critical Lane Analysis method to determine acceptable levels of service or any other method readily acceptable. The traffic impact study should also include what, if any, transportation improvements and/or mitigation measures would be employed to bring about acceptable levels of service. Additional information may be required during the course of review of any proposed plan for the area.

### Staging Objectives and Project Goals

- A. Connection between the development and Clopper Road  
*Construction of bridge over CSX rail line and extension of Watkins Mill Road.*
- B. Additional Road Capacity for Future Watkins Mill Interchange at I-270  
*Completed extension of Watkins Mill Road between CSX rail line and I-270*
- C. Access to Interstate (I-270)  
*Completion of Watkins Mill Road and I-270 Interchange*
- D. Linkage to Frederick Avenue and Secondary Access to Site  
*Completed extension of Watkins Mill Road from I-270 to Frederick Avenue and extension of Metropolitan Grove Road to the site*
- E. Local Transit Access  
*Corridor Cities Transit way Constructed to Study Area*



As part of the CCT, there may be a need to provide a Transit Rail Yard at the Casey-Metropolitan Grove Study Area. If the Transit Rail Yard is to be located within the Casey-Metropolitan Grove Study Area, a plan must be reviewed and approved by the Mayor and City Council and Planning Commission as part of the SDP process. The City has proposed three alternative locations for the Transit Rail Yard as follows:

*Alternative 1:* North of and parallel to the CSX right-of-way and west Watkins Mill Road extended. This location is the furthest removed from the developable area of the Casey-Metropolitan Study Area. All rail yard buildings, as well as adequate screening in the form of a solid wall and landscaping should be placed along the north side of the site. The intent is to screen the rail yard activity and rail car storage from future uses north of the site.

*Alternative 2:* The Montgomery County abandoned auto storage lot located north of and parallel to the CSX right-of-way and east of Metropolitan Road extended. To locate the rail yard in this location will require the cooperation of Montgomery County and the State of Maryland for the relocation of the County auto storage. This site is surrounded by the CSX rail tracks, I-270 Interchange, Metropolitan Grove Road extended, future rail station and parking facility and the City-owned parkland which may make it difficult to provide a viable residential, commercial or office development. All the rail yard buildings, as well as adequate screening in the form of a solid wall and landscaping should be placed along the north side of the site. The intent is to screen the rail yard activity and rail car storage from the City-owned parkland.

*Alternative 3:* The State of Maryland truck maintenance and anti-skid materials distribution facility located south of and parallel to the CSX right-of-way and east of Metropolitan Road extended. To locate the rail yard in this location will require the cooperation of Montgomery County and the State of Maryland for the relocation of the existing State facility. All the rail yard buildings, as well as adequate screening in the form of a solid wall and landscaping should be placed along the south side of the site. The intent is to screen the rail yard activity and rail car storage from the adjacent residential apartment community.

### **Development Assumptions**

- A community charrette should be completed before development plan submission. A charrette agenda should be approved by the City.
- Provide property for transit right-of-way and transit station.
- Provide right-of-way for Watkins Mill Road extended.
- Provide right-of-way for I-270 Interchange.
- Designate area for possible transit rail yard.
- Preserve and maintain environmentally sensitive areas (stream valley buffer, wetland, floodplain, steep slope, etc.) and establish additional parks throughout the development that are outside of environmentally protected areas.
- Preserve 27 acres of City-owned parkland.

- The northern portion of the study area located adjacent to the proposed Corridor Cities Transitway (CCT) right-of-way and bounded by City boundary to the north and the stream valley buffer to the south will be used as parkland.
- A 10-acre site located adjacent to and southwest of the existing 27 acre City-owned parkland and north of the CSX tracks will be used as parkland and/or school site. [see sketch plan] Whether the site can or will be used as a school site will be determined by conducting feasibility and need assessments involving the City and Montgomery County.
  - If the site is to be used as a school site, portions of the 27 acre City-owned parkland outside environmentally sensitive areas could be used as active sports fields to be shared by the City and the school.
  - If the site is not to be used as a school site, development compatible to an approved plan for the study area is permitted with the exception that a portion of the land must remain as parkland. The type of compatible development and amount of parkland will be determined by the Mayor and City Council during the required SDP process.
- Provide pedestrian and bike connections to uses within and adjacent to the development.
- Incorporate green building development techniques.
- Innovative stormwater management techniques should be employed such as bio-retention ponds located within or near parking areas.
- At the time of each proposed development a traffic study shall be performed and must meet Transportation Theme requirements. The traffic study will be used to determine the required transportation improvements, traffic mitigation techniques and staging of these improvements that must be completed prior to any development.
- Required infrastructure improvements must be approved and funded publicly or privately for construction before development can proceed.
- Density of development to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the adopted Education and Transportation themes with recommendations from the City Planning Commission.

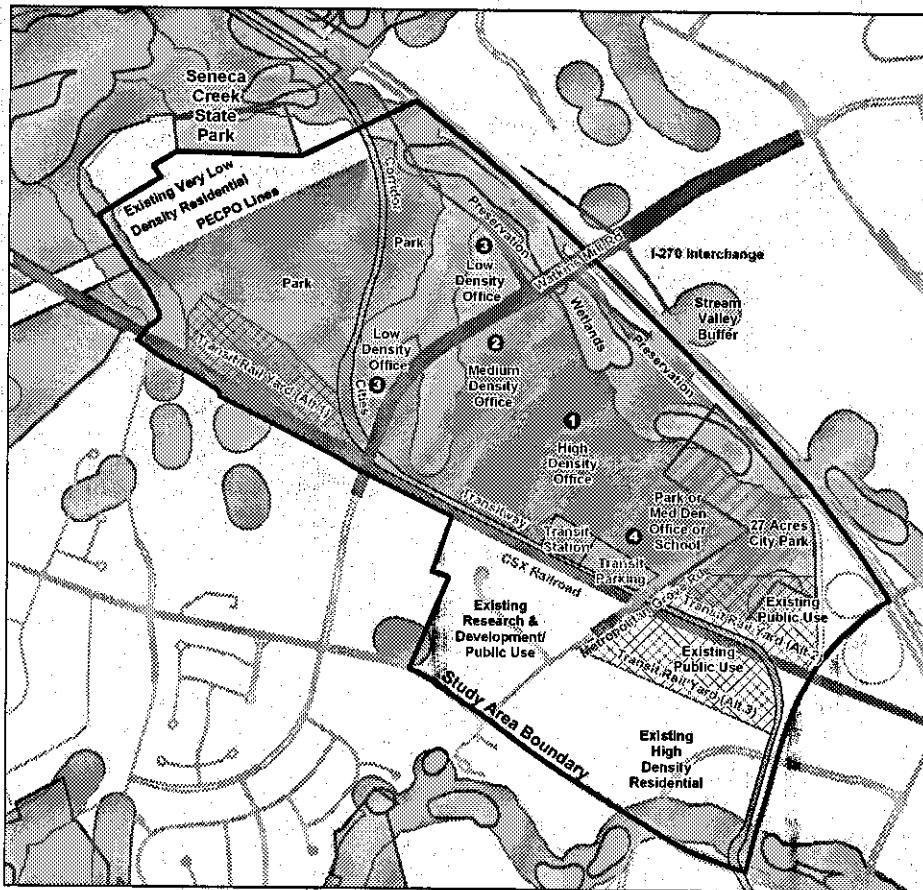
## **PROPOSED LAND USE OPTIONS:**

As previously stated, due to the CSX right-of-way bisecting the Casey-Metropolitan Grove Study Area, the study area is essentially divided into two distinct areas. The Northern Properties located north of the CSX right-of-way and the focus of the stakeholders meetings and the Southern Properties located south of the CSX right-of-way. The land use options were prepared following this approach and have been separated into the Northern Properties and Southern Properties.



## Northern Properties

Each land use option will have a corresponding sketch plan. The sketch plan will provide map designations that depict the location and type of development proposed. All of the proposed land use options reflect the desire of the City to cluster density around the proposed transit station and develop a transit-oriented development. Density will decrease outward from the transit stop.



### LAND USE OPTIONS:

#### **A. Office with a Commercial Component**

**Designate as office-commercial with a zoning classification of MXD.**

##### ***Map Designation 1:***

High density office will be located in the area near the transit station adjacent to the CSX tracks extending north into the site. This provides a presence along I-270 and the core of the density should be adjacent to the transit station for easy accessibility for office users.

##### ***Map Designation 2:***

The area adjacent to and northwest of the high density office development and adjacent to and east of Watkins Mill extended and the I-270 interchange will be

designated medium density office. This provides a presence along I-270 and Watkins Mill Road extended and allows for easy access to I-270, the office uses and transit. A hotel use would be appropriate in this area and should be located east of the I-270 access ramp and Watkins Mill Road extended intersection and north of the medium density office development. A hotel in this location provides an immediate visual presence along I-270 and Watkins Mill Road extended.

***Map Designation 3:***

The area adjacent to and west of Watkins Mill Road extended and adjacent to and east of the CCT right-of-way and stream valley buffer will be designated low density office development. The low density office use reduces the visual impact to the proposed parkland and the neighboring residential development. This also allows for a research and development or storage facility component that would not be suitable in the medium to high density office areas.

***Map Designation 4:***

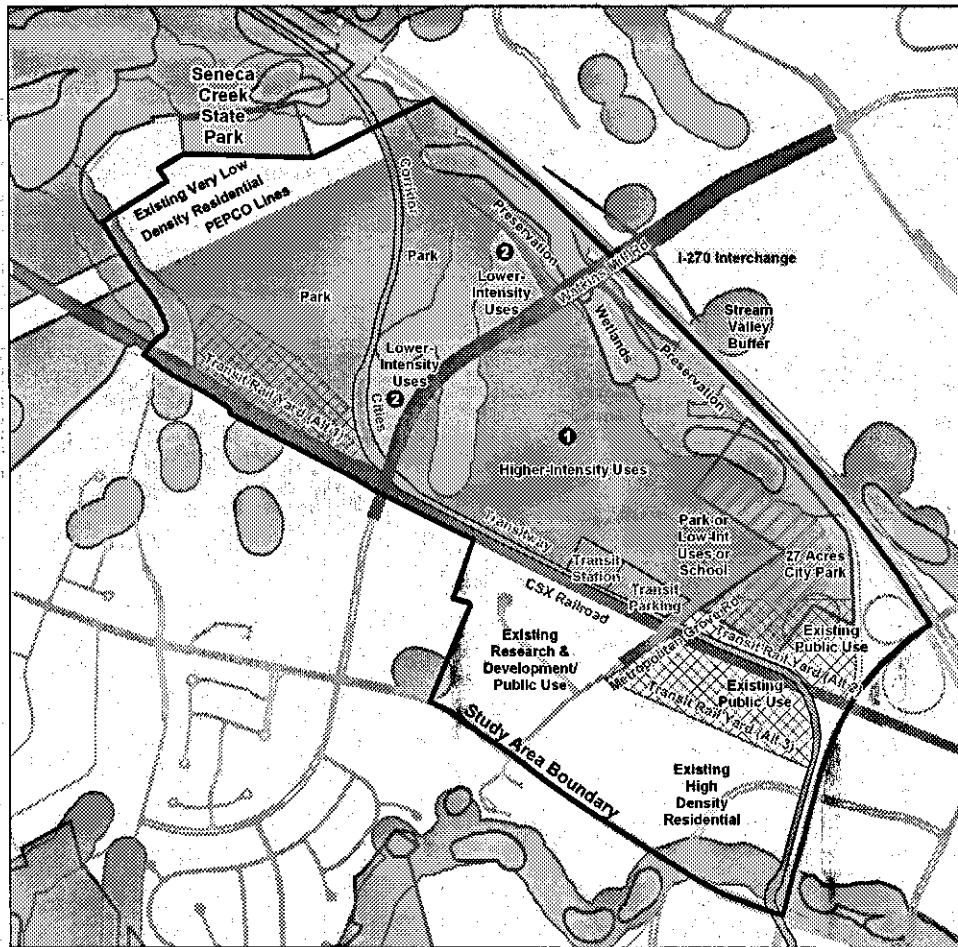
A 10 acre area adjacent to and east of the high density office development and adjacent to and west of the City-owned parkland will be designated open space-institutional-medium density office. This area still has easy accessibility to the transit station and the reduction of building height reduces the visual impact from the City-owned property and increase the visibility of the core high density office development. This 10 acre area is further discussed in the Development Assumption section of this report.

- Commercial development such as personal service, retail and restaurant uses should be located on the first floors of the high density and medium density office structures.
- Low density building heights will range from one to three stories. Medium density building heights will range from three to five stories. High density building heights will range from five to ten stories. Waivers to allow an increase in the medium and high density building heights may be granted by the Mayor and City Council during the SDP process.
- Pedestrian and bicycle paths should be provided connecting the office use to surrounding residential uses and parks.
- Telephone call centers and other users that would require higher parking requirements should only be considered when structured parking can be provided.
- Higher densities in the early stages of development should be considered in order to encourage structured parking to limit environmental impacts by reducing the building footprints.
- A minimum buffer of 100 feet should be provided between the CSX tracks and any office building.

**Land Use and Zoning Action**

Adopt **office-commercial** land use designation

Zoning remains **MXD** (Mixed Use Development)



#### **B. Private Arts, Entertainment and Education Center**

Designate as **recreational-institutional-commercial** with a zoning classification of **MXD**.

##### ***Map Designation 1:***

High intensity uses should be located east of Watkins Mill Road extended. High intensity refers to uses which create a larger impact within the study area and to the surrounding communities. The type of impacts would be, but not limited to, scope and size of development, infrastructure, traffic, and visual. A high intensity use would also take the greatest advantage of the future transportation improvements. This area allows for immediate access to the transit station and I-270 and limits the impact to surrounding residential communities.

##### ***Map Designation 2:***

Low intensity uses should be located west of Watkins Mill Road extended. Low intensity refers to uses which create a minimal impact within the study area and to the surrounding communities. These uses would require less impervious development, preserve existing trees and provide more green space. This area is adjacent to the stream valley buffer and the majority of the "Mature Forest" in the study area.

### ***Map Designation 3:***

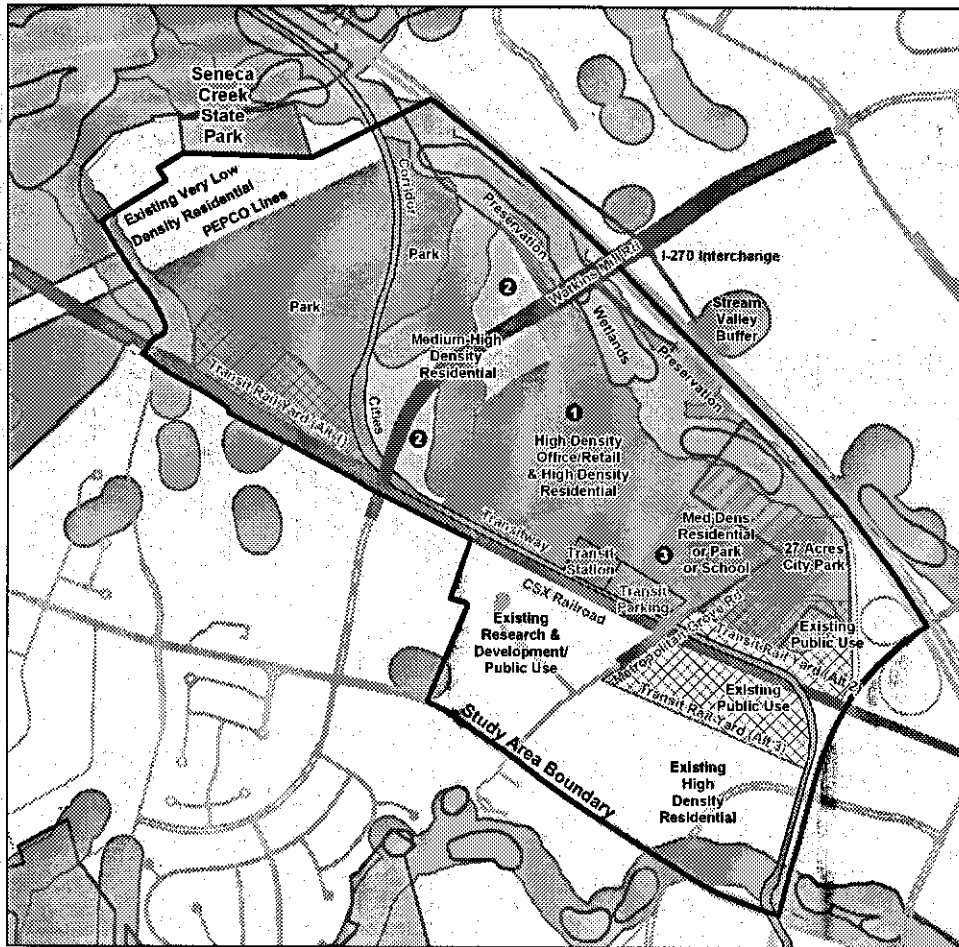
A 10 acre area adjacent to and east of the high intensity development and adjacent to and west of the City-owned parkland will be designated open space-institutional and allow for low intensity uses. This area still has easy accessibility to the transit station and city-owned parkland. Any low intensity use should take advantage of the proximity to the City-owned parkland and incorporate the parkland into the design. This 10 acre area is further discussed in the Development Assumption section of this report.

- The intent of the private arts, entertainment and education land use option is to provide a high quality development that is unique to the City of Gaithersburg and Montgomery County.
- A comprehensive use and design approach should be taken for any proposed private art, entertainment and/or education center plan. A comprehensive plan should tie all the uses and structures together.
- A comprehensive plan can either be limited to a single art, entertainment, or education theme or incorporate two or more of these themes. When developing a single theme or incorporating two or more themes into a comprehensive plan, the uses and buildings must compliment one another. The comprehensive uses will be determined by the Mayor and City Council during the MXD development process.
- A single theme approach can either be a single user for a large portion of the entire area or a number of stand alone uses.
- Suggested auxiliary uses would be included in the list of comprehensive uses. These uses must be clearly secondary to and support the main comprehensive plan uses. The amount, location, and other details will be determined by the Mayor and City Council during the MXD development process.
- One or more hotels may be permitted as an auxiliary use, depending upon the type and extent of development. A hotel must serve the proposed development and be part of a comprehensive plan.
- The comprehensive plan will require an impact study of the full development upon the submission of a schematic development plan, to develop a detailed staging plan.
- A comprehensive plan that consists of a number of separate stand-alone structures and auxiliary uses cannot be fully developed until the transit way is complete and a final impact study has been done to determine the actual amount of development that can occur.
- The final stage of development, whether a comprehensive use plan or stand-alone use plan, should provide incentives for transit use, including free or reduced fare, free shuttles, reduced on-site parking, etc.

### **Land Use and Zoning Action**

**Adopt recreational-institutional-commercial land use designation**

**Zoning remains MXD (Mixed Use Development)**



### C. Mixed Use Office-Residential with a Commercial Component

**Retain as mixed use residential-office-commercial** with a zoning classification of MXD. The mixed use option allows for different uses to be integrated with one another such as residential housing and commercial or high rise residential and office with commercial activity. Phasing of development and the total square footage and number of housing units for each phase will not be approved until a traffic impact study is submitted and determined to be acceptable.

#### ***Map Designation 1:***

High density office and residential development should be located around the transit station and adjacent to the CSX. This creates a core area for the development and provides a presence along I-270. The core of the density should be adjacent to the transit station for easy accessibility for office users. The majority of development in this area should consist of the high density office component.

#### ***Map Designation 2:***

Medium-high density residential development should be located along both sides of Watkins Mill Road extended and continuing west to the CCT right-of-way. This will allow easy access for the residents to Watkins Mill Road and I-270 and the adjacent parkland. A small amount of commercial uses in the form of live-work units could be

located along Watkins Mill Road which should be a good location for commercial uses due to the accessibility and visibility from I-270. This live-work commercial development will act as a buffer between the residential development and the high density development. A hotel use would be appropriate in this area and should be located east of the I-270 access ramp and Watkins Mill Road extended intersection. A hotel would provide a presence along I-270 and Watkins Mill Road extended and allows for easy access to I-270, the office uses and transit.

***Map Designation 3:***

A 10 acre area adjacent to and east of the high density office and residential development and adjacent to and west of the City-owned parkland will be designated open space-institutional-medium density office and residential. This area still has easy accessibility to the transit station and the reduction of building height reduces the visual impact from the city-owned property and increase the visibility of the core high density development. This 10 acre area is further discussed in the Development Assumption section of this report.

- Commercial development such as personal service, retail and restaurant uses should be located on the first floors of the high density office and residential structures.
- Residential development must be owner-occupied units to include condominiums and medium density single family dwellings.
- Prior to any residential construction, there must be school capacity available at every level per the adopted Education Theme.
- Medium density building heights will range from two to five stories. High density building heights will range from five to ten stories. Waivers to allow an increase in the high density building heights may be granted by the Mayor and City Council during the SDP process.
- Provide 5 acres of active use parkland outside of environmentally protected areas for non age-restricted mixed use development. Provide 3 acres of active use parkland outside of environmentally protected areas for elderly mixed use housing.

**Land Use and Zoning Action**

Retain mixed use residential-office-commercial land use designation

Zoning remains MXD (Mixed Use Development)

**SPECIAL CONDITIONS (Subject to additional public hearing)**

**The following special conditions apply to all of the three development options for the northern properties of the Casey-Metropolitan Grove Road Special Study Area.**

- **The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 161-165 of the Casey-Metropolitan**

**Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this study area, regardless of the land use option chosen.**

- **The staging, phasing and density of development is to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes.**
- **The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process.**
- **Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer. Development which generates 50 or more peak hour trips will not be approved if it is found that unacceptable critical lane volumes of 1,450 exist at nearby critical intersections (taking into account existing and programmed transportation improvements), unless the developer makes transportation improvements and employs any approved traffic mitigation techniques or public improvements are progressed for construction with public funds committed to such construction that would improve the existing Level of Service (LOS). However, simply meeting the critical lane volume standard of 1,450 does not guarantee that additional improvements can not be required. The traffic impact study should be prepared utilizing: (1) the standard ITE trip generation rates, (2) local trip distribution patterns based on good traffic engineering practices, and (3) the Critical Lane Analysis method to determine acceptable levels of service or any other method readily acceptable. Additional information may be required during the course of review of any proposed plan for the area.**

### **Southern Properties**

**Redesignate as mixed use residential-office-commercial with a zoning classification of MXD.**

As previously stated, the Casey-Metropolitan Grove Study Area properties south of the CSX right-of-way have been entirely developed with land uses equally split between a medium density residential apartment complex and industrial-research-office buildings. The objective for this portion of the study area will involve redevelopment associated with the future Corridor Cities Transitway (CCT) station and potential rail yard location. When incorporating multi-modal or transit oriented design into master planning an area, the entire area surrounding the transit station must be included.

- The existing MARC rail line commuter parking lot (Parcel N368) owned by Montgomery County should still act as a parking facility for the MARC/CCT Station. This location should be redeveloped to provide a multi-level parking

structure, pedestrian and bike connections to the station, and commuter and bus drop-off and pick-up areas.

- A plan should be created that clusters higher mixed use office-residential densities surrounding the proposed transit station. The plan should provide for more green area than currently exists and should require shared parking structures to reduce impervious area. Commercial development such as personal service, retail and restaurant uses should only be located on the first floors of the office and residential structures.
- The existing truck maintenance facility and anti-skid materials distribution site (Parcel P564) currently owned by the State of Maryland should be relocated. This site is located along the CSX right-of-way, has access to Metropolitan Grove Road and is in close proximity to the transit station. The property is in a prime location for redevelopment for an office use. This would also be a good location for the potential rail yard that may be located in this area.
- The medium density residential complex (Orchard Pond) contains 747 apartment units that were constructed in 1975. This is another ideal location for future redevelopment of higher density residential and/or office uses. The site has immediate access to three roadways and is in close proximity to the transit station.

#### **Land Use and Zoning Action**

Adopt **office-commercial-residential** land use designation

Rezone to **MXD** (Mixed Use Development)



RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
ADOPTING AN AMENDMENT TO THE GENERAL PLAN  
FOR THE CITY OF GAITHERSBURG MASTER PLAN  
LAND USE ELEMENT AND PROCESS AND CITY OVERVIEW

AS APPROVED AND RECOMMENDED BY  
THE PLANNING COMMISSION ON SEPTEMBER 3, 2003

AS ADOPTED BY THE MAYOR AND CITY COUNCIL ON DECEMBER 15, 2003

WHEREAS, Section 3.05 of Article 66B of the Annotated Code of Maryland sets forth the function and duty of the Planning Commission to make and approve a general plan or amendments thereto and recommends the same to the local legislative body for adoption, to serve as guide to public and private actions and decisions to insure the logical development of public and private property in appropriate relationships; and

WHEREAS, Section 3.08 of Article 66B of the Annotated Code of Maryland states that the local legislative body shall adopt the plan and or amendment thereto, and

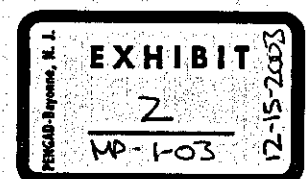
WHEREAS, a land use element of the City's General Plan is required by the State of Maryland Economic Growth, Resource Protection, and Planning Act of 1992 and Section 3.05 of Article 66B of the Annotated Code of Maryland; and

WHEREAS, the Mayor and City Council have held a series of public sessions to work on elements of the text of recommendations to include in this Master Plan Amendment, including certain special study areas and map designations; and

WHEREAS, the Planning Commission held a joint public hearing with the Mayor and City Council on July 21, 2003, on a proposed amendment to the General Plan revising and amending the Master Plan Land Use element and process and city overview, and after careful survey and study of present conditions and anticipated future growth to the City and the adjacent area, the Planning Commission approved Resolution No. PCR-2-03 on September 3, 2003, being the approval of a master plan amendment entitled 2003 Master Plan Land Use Element and Process and City Overview, and transmitted an attested copy of the same as its recommendation to the Mayor and City Council which is hereby attached and incorporated as part of this resolution; and

WHEREAS, the General Plan and amendments made from time to time, provide a general framework for assisting the Mayor and City Council and City Planning Commission in making land use policy and facilities decisions:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that a general plan amendment known as 2003 Master Plan Land Use Element and Process and City Overview, thoroughly reviewed by the legislative body during the joint public hearing conducted on July



21, 2003, approved by the City Planning Commission on September 3, 2003, and recommended to the legislative body (as PCR-2-03) is hereby adopted by the Mayor and City Council as an amendment to the General Plan for the City, the *1997 City of Gaithersburg Master Plan*, as heretofore amended.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that all other recommendations of the City Planning Commission, pursuant to the adoption of PCR-2-03 and all subsequent Resolutions by the City Council, are hereby approved and ratified to the extent not inconsistent with this Resolution subject to the following revisions to:

- Pages 88 and 89, Map Designation 26, Eliminate the last sentence of the fourth paragraph that begins, "Should the land swap occur...". Eliminate the fifth paragraph that begins, "It is also the intent of this land use plan..." Eliminate the "Conversion Formula for Map Designation 26" section.
- Page 88, Map Designation 26, Add the sentence, "Should the land swap occur, the land obtained by the City should be preserved and incorporated into the Malcolm King Park and designated as open space and the land obtained from the City should be incorporated into the Washingtonian Center development and designated as commercial-industrial-research-office." to the end of the fourth paragraph. In addition the Land Use and Zoning Actions shall be changed to reflect the above land use recommendations.
- Page 104, Map Designation 38, Eliminate the second sentence in the first paragraph that discusses the land exchange of the property.
- Page 162, Special Study Area Casey-Metropolitan Grove, Revise the second to last sentence to state, "The traffic generated by the proposed development, plus all approved subdivisions and all other current uses, shall be considered in determining whether critical intersections and surrounding roads operate at an acceptable level of service regarding traffic mitigation."
- Page 163, Special Study Area Casey-Metropolitan Grove, After the first full sentence add the following, "The traffic impact study should also include what, if any, transportation improvements and/or mitigation measures would be employed to bring about acceptable levels of service."
- Page 171, Special Study Area Casey-Metropolitan Grove, Add the following, "SPECIAL CONDITIONS (Subject to additional public hearing) The following special conditions apply to all of the three development options for the northern properties of the Casey-Metropolitan Grove Road Special Study Area. The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 161-165 of the Casey-Metropolitan Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this study area, regardless of the land use option chosen. The staging, phasing and density of development is to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes. The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process. Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes and will not be

approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer. Development which generates 50 or more peak hour trips will not be approved if it is found that unacceptable critical lane volumes of 1,450 exist at nearby critical intersections (taking into account existing and programmed transportation improvements), unless the developer makes transportation improvements and employs any approved traffic mitigation techniques or public improvements are progressed for construction with public funds committed to such construction that would improve the existing Level of Service (LOS). However, simply meeting the critical lane volume standard of 1,450 does not guarantee that additional improvements can not be required. The traffic impact study should be prepared utilizing: (1) the standard ITE trip generation rates, (2) local trip distribution patterns based on good traffic engineering practices, and (3) the Critical Lane Analysis method to determine acceptable levels of service or any other method readily acceptable. Additional information may be required during the course of review of any proposed plan for the area."

Maps and illustrative material may be revised where necessary to conform to City Council actions. The text may be revised as necessary to achieve clarity and consistency and to convey the actions of the City Council.

ADOPTED by the City Council this 15th day of December, 2003.

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Sidney A. Katz, Mayor and  
President of the Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council  
on the 15th day of December, 2003.

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David B. Humpton, City Manager